

Minneapolis City Planning Department Report
Planned Commercial Development:
Conditional Use Permit Application C-#1000141/1000142
Site Plan Review Application #SP1000138
Alley Vacations Application# 1320/1321

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Attachment 1: Site Maps (Prepared by Planning Staff)

Attachment 2: Aerial Photograph of Site (Prepared by Planning Staff)

Attachment 3: Matrix of Design Considerations (Prepared by Planning Staff)

Attachment 4: Letter from Joseph Antunovich, Antunovich Associates to Jack Byers, Minneapolis Planning Department, dated April 7, 2000.

Attachment 5: "Loading Dock Analysis," Exhibit D attached to letter from Rebecca Rom, Faegre and Benson, LLP to Jack Byers, Minneapolis Planning Department, dated April 21, 2000 (supplement to Consolidated Planning Application for Block E)

Attachment 6: Letter from Joseph Antunovich, Antunovich Associates to Jack Byers, Minneapolis Planning Department, dated May 1, 2000 (including attachments from Graves Hospitality Corporation, Crown Theaters, and McCaffrey Interests)

Attachment 7: Sun/Shade Analysis (Prepared by Developer's Team)

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PART I: GENERAL APPLICATION INFORMATION

Date: May 4, 2000

Date Application Deemed Complete: April 21, 2000

End of 60-Day Decision Period: June 22, 2000

Applicant: Block E Interests, LLC

Address of Property: Mailing address: No mailing address is specified for this project.
Included addresses: The Project is bounded by Hennepin Avenue, North 6th Street, First Avenue North, and North 7th Street in Downtown Minneapolis.

Contact Person and Phone: Applicant: Daniel McCaffery; McCaffery Interests, 737 North Michigan Avenue, Chicago, IL 60611, phone: (312) 944-3777 facsimile: (312) 944-7107.

Owner's representative: Rebecca L. Rom, Faegre and Benson, LLP, 2200 Norwest Center, 90 South 7th Street, Minneapolis, MN 55402-3901, phone: (612) 336-300; direct dial (612) 336-3204, facsimile (612) 336-3026, e-mail: RROM@FAEGRE.COM **Architect:** Joe Antunovich, Antunovich Associates, (312) 266-1126; **MCDA staff:** Phil Handy: (612) 673-5010.

Staff Contact Person and Phone: Jack Byers, City Planner; voice: 612-673-2634; facsimile: 673-2728; TDD: 673-2157; e-mail: jack.byers@ci.minneapolis.mn.us

Ward: 5

Neighborhood Organizations: Downtown Council; Downtown Minneapolis Neighborhood Association, Hennepin Avenue Advisory Board, Minneapolis Chamber of Commerce

Existing Zoning and Affected Uses:

- **B4S2: Downtown Service District:** Surface parking lot bounded by Hennepin Avenue, North 6th Street, First Avenue North, and North 7th Street.
- **DP: Downtown Parking Overlay District:** Surface parking lot bounded by Hennepin Avenue, North 6th Street, First Avenue North, and North 7th Street.

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Proposed Use: Mixed use development. The Developer's Application calls for the following:

• Hotel, including ballroom and conference center	(187,776 sq. ft.)
• Cinema complex	(93,951 sq. ft.)
• Retail, including four to six restaurants	(141, 015 sq. ft.)
• Underground parking garage of approximately 563 spaces	(209,102 sq. ft.)
• Loading facilities	(11, 686 sq. ft.)
• Stairs/Mechanical	26,059 sq. ft.)
• Interior public space	(20,381 sq. ft.)
• Exterior public plazas	(21,438 sq. ft.)
<hr/>	
TOTAL	(689, 970 gsf)

Authority:

Minneapolis Code of Ordinances, Title 20: Zoning Code, Chapter 525: Administration and Enforcement, Chapter 527: Planned Unit Development, Chapter 530: Site Plan Review, Chapter 541: Off-Street Parking and Loading, Chapter 543: On-Premise Signs, Chapter 544: Off Premise Advertising Signs and Billboards, Chapter 549: Downtown Districts, Chapter 551: Overlay Districts

Minneapolis Planning Department and Minneapolis Downtown Council: *Downtown Minneapolis 2010: Continuing the Vision into the 21st Century*, Adopted by the Minneapolis City Council as a component of the City's comprehensive plan, October 1996

Block E: Development Objectives, Adopted by the Minneapolis City Council , April 1995

Previous Actions:

Travel Demand Management (TDM) Plan (formerly called a Transportation Management Plan): Approved on August 11, 1998

Environmental Assessment Worksheet for Block E Development: Approved by City Council on July 31, 1998 and by the Mayor on August 3, 1998.

Streetscape Plan:

On May 1, 2000, the City Planning Commission approved the document *Hennepin Avenue Theatre District: Building an Urban Identity: A Guidebook for Streetscape and Architectural Development* as the design and planning source for future revisions to the public environment on Hennepin Avenue between 5th and 10th Streets. Planning staff was directed to continue working toward implementation of this project with the Public Works Department and with property owners, businesses, and residents in the project area.

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TIF and Redevelopment Plans:

On May 4, 2000, the City Planning Commission reviewed the following TIF and Redevelopment Plans:

- Hennepin and 7th Entertainment Tax Increment Finance Plan
- Modification No. 6 to the City Center Tax Increment Finance District, County No. 56
- Modification No. 71 to the Common Development and Redevelopment and Common Tax Increment Finance Plan (Hennepin and 7th Entertainment)
- Hennepin and 7th Entertainment Redevelopment Plan

The City Planning Commission did not approve these plans. The Commission recognized that further refinements to the physical and functional design of Block E: The Minneapolis Lifestyle Center and the Mann Theatre/Stimson Building will be brought forward under future related actions.

Concurrent Review:

Alley Vacations:

(See Part VI)

- (a) Alley Vacation (Vac. 1320): Vacation of the public alley lying within Lots 11 and 12, Block 3, Hoag and Bells Addition to Minneapolis (see attached map).
- (b) Alley Vacation (Vac. 1321): Vacation of the public alley lying within lots 1 thru 4, and 9 thru 11, Block 3, Hoag and Bells Addition to Minneapolis (see attached map).

Future Reviews:

Application has been made for the following Encroachment permits:

- Skyway across Hennepin Avenue between Block E: Minneapolis Lifestyle Center and City Center
- Skyway across First Avenue North between Block E: Minneapolis Lifestyle Center and Target Center

Staff in Public Works Right-of-Way determined that once building design is firm and contract documents are underway, application can be made for additional encroachment permits that will be needed. Such permits may include, but are not limited to the following:

- Porte cochere at hotel drop-off
- Cinema marquee
- Freestanding bus shelter on Hennepin Avenue
- Water/Ice Sculpture Feature on the corner of North 6th Street and First Avenue North

Stormwater Management Plan: Staff in the Public Works Department have determined that the Project's Stormwater Management Plan will need to consist of a utility and drainage plan.

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Appropriate Section(s) of the Zoning Code:

Chapter 525: Administration and Enforcement
Chapter 527: Planned Unit Development
Chapter 530: Site Plan Review
Chapter 541: Off-Street Parking and Loading
Chapter 543: On-Premise Signs
Chapter 5441: Off Premise Advertising Signs and Billboards
Chapter 549: Downtown Districts
Chapter 551: Overlay Districts

Part II: BACKGROUND:

Project description: The following is a snapshot of the Project **according to the Developer:**

The Block E project will consist of five principle uses:

- A first class four-star Marriott Renaissance Hotel with approximately 255 rooms, a full service restaurant and 23,000 square foot ballroom and conference center;
- A 17-screen state-of-the-art stadium seating Crown Cinema with substantial food and concession areas;
- Restaurants, including the Disney-owned ESPN Zone Café, a one-of-a-kind facility currently located in only three other metropolitan areas (Times Square, Rush Street, and Baltimore's Inner Harbor), plus three to five other major restaurants not currently in the Twin Cities market;
- Entertainment orientated retail, including as likely tenants a major book and records store, with a substantial coffee shop, and a national sports apparel retailer; and
- A 563 (approx.) space below-grade parking facility with below-grade loading area.

On First Avenue, the project will have 21,438 gross square feet of exterior public plazas, which will be an interactive "pocket park." This park will be the focal point for year-round exterior activities celebrating the seasons of the year and may include such amenities as retail kiosks, musicians, a large Christmas tree and other presentations. This park will contain mature street trees, landscaping, sculpture and other amenities which change through various seasons. The project will be constructed behind property lines to provide an extended sidewalk/plaza for outdoor dining. The sidewalks on Sixth and Seventh Streets will be 15 feet wide and those on First Avenue and Hennepin Avenue will be at least 22 feet wide. The Center will provide a cross block connection between the theater entry on Hennepin and the hotel lobby and porte cochere on First Avenue. On the second level, skyway connections will be provided to Target Center and City Center (at the locations pre-established in those buildings for skyway linkage), with 20-foot wide skyways. There will be an exterior skyway entry at the corner of First and Sixth to allow easy direct-access from the skyway system to the pedestrian oriented Warehouse District.

The architecture of the three-level lower portion of the project will be developed to express the vernacular of the warehouse buildings of the adjacent blocks. This collection of individual "warehouses" will form the basis of the structure and the overall mass of these three levels rising directly from the surrounding streets. In many cases, these individual "warehouse" buildings will appear to have been renovated to accommodate a specialty restaurant or specialty retailer. The upper levels of many of these "warehouse" buildings will be used to display tenant and entertainment related signage. The entire project will be a celebration of lights and kinetic images. Lights will be prominent above the skyways connecting to the Target Center and City

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Center, from the hotel tower to the outer ledge of the hotel entry on First Avenue. A large theater marquee will illuminate Hennepin Avenue celebrating the seventeen movie screens. Retail/entertainment tenants will display their presence with vibrant, active illuminated signage. The site will be streetscaped in accordance with the recently proposed Hennepin Avenue streetscaping plan. The Center will have full-sized store front windows providing continuous visual activity on street facades. The individualized facades will extend up above the second level with fenestration, projections and roof top cornice lines to give an identity and appearance consistent with surrounding larger scale Warehouse District structures and the general historical context of the area. Facades will incorporate brick, stone and other compatible materials.

The four-star Marriott Renaissance Hotel will have an elegant hotel porte cochere at street level, with architectural detailing of brick, stone or similar materials. The hotel drop-off will be a large lighted canopy with exceptional architectural design. The hotel will be a simple, classical design. Large lobby windows will open onto the hotel drop off area. Above the hotel entry, large show windows will also expose the grand stairway into the theater complex (from the skyway to the third level) and the lively restaurant/concession area of the theater complex to First Avenue.

In the interior of the project, the approach of providing individualized interior facades will also reflect the vernacular of the Warehouse District. The interior walkway will have a substantial opening to the skyway level. Major restaurant or retail tenant will also have a primary entry from the interior corridor.

On the second level, the skyways will be oversized (approximately twenty (20) feet) as compared to minimum City requirements, and will be located at the predetermined locations for connections to Target Center and City Center. Again, individualized interior facades will be provided for retailers, and there will be primary entries into each major second level retailing tenant. Several tenants, including ESPN, are expected to occupy two levels. Also, as noted previously, a grand staircase from the skyway to the concession and ticketing area of the theater will be a major activity feature. At the Public Plaza on Sixth and First there will be direct street access, facilitating the transition of skyway traffic to street traffic at the primary Warehouse District entrance point.

MCDA involvement:

Previous Directives to the Minneapolis Community Development Agency:

- March 3, 2000 – City Council approves development agreement with McCaffrey Interests, LLC for mixed-use commercial project on Block E in Downtown Minneapolis.
- June 25, 1999 – City Council and Board of Commissioners authorized assignment of Redevelopment Contract to McCaffery Interests, amending Contract to defer hotel component commitments to be a condition of Closing, and set a Closing Date of January 31, 2000
- December 18, 1998 – “Sunset Date” extended to May 31, 1999

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- September 9, 1998 – “Sunset Date” extended to December 31, 1998, due to Unavoidable Delay
- February 10, 1998 – Board authorized condemnation proceedings for the two remaining ownership parcels on Block E
- December 30, 1997 – City Council authorizes execution of Redevelopment Contract with Brookfield/DDRM/Excel joint venture for Block E and grants exclusive rights to make proposals for Blocks D and F.
- December 30, 1997 – City Council and Board approved terms and finance plan for and authorized execution of a Redevelopment Contract for Block E and development rights for Blocks D and F with a joint venture entity comprised of Brookfield, DDRM Entertainment, and Excel Realty Trust; directed the Developers to present a development concept for the three-block area in March; directed a feasibility study for moving the Shubert Theatre from Block E
- November 21, 1997 – Board authorized condemnation proceedings for Reilly’s Bar parcel
- September 12, 1997 City Council and Board extended exclusive development rights for Block E to Brookfield LePage to December 30, 1997
- June 27, 1997 – City Council and Board granted concept approval to Brookfield LePage for a revised Block E project; October 11, 1996 – City Council awarded Brookfield LePage exclusive development rights to Block E and a portion of Block F for a nine month period
- May 5, 1995 – City Council approved development objectives and a authorized staff to distribute an RFP for Block E
- 1993- City Council approved various financial transactions to “purchase” Block E from CDBG program
- 1991 – City Council directed staff to terminate agreement with Ray Harris and to reconsider development objectives and strategy
- 1988 – MCDA Board authorized condemnation proceedings for “early acquisition” parcels; City Council and MCDA Board amended the Development Program of Development District No. 58 relating to development objectives for Block E, established Block E Increment Financing District No. 45 and authorized execution of a development agreement with Ray Harris for Block E; 1987- City Council approved early acquisition of Block E using a CDBG “Float Loan,”
- 1986 – Ray Harris submitted development proposal and City Council authorized six months’ exclusive development rights
- 1981 – City Council approved original Block E Guidelines and Criteria

Review by citizen groups:

Downtown Minneapolis Neighborhood Association (DMNA):

In their application for a building permit, The Developer’s Representatives indicated that they have sent written notification to the Downtown Minneapolis Neighborhood Association. No return correspondence from DMNA has been submitted to the Planning Department.

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Downtown Council of Minneapolis

The Developer's Representatives have indicated that they have made a presentation of the preliminary conceptual designs to the Minneapolis Downtown Council. No written correspondence concerning that presentation has been submitted to the Planning Department.

Hennepin Avenue Advisory Board

The Developer's Representatives have indicated that they have made a presentation of the preliminary conceptual designs to the Hennepin Avenue Advisory Board. No written correspondence concerning that presentation has been submitted to the Planning Department.

PART III: FINDINGS REQUIRED FOR PLANNED UNIT DEVELOPMENTS:

Conditional Use Permit Application C-#1000141

Conditional Use Permit Application C-#1000142

In addition to the conditional use permit standards contained in Chapter 525, Administration and Enforcement, before approval of a planned unit development the City Planning Commission also shall find:

1. That the planned unit development complies with all of the requirements and the intent and purpose of this chapter. In making such determination, the following shall be given primary consideration:

- a. The character of the uses in the proposed planned unit development, including in the case of a planned residential development the variety of housing types and their relationship to other site elements and to surrounding development.**

The uses for this development include retail, entertainment, hotel, and parking, each of which is a permitted use in the B4S-2 District of the Zoning Code. Because this development is a planned commercial development, it is considered a conditional use. The uses proposed in this project are generally consistent with *Downtown 2010* and the *Minneapolis Plan*. The relationship of this planned commercial development to specific policies within *Downtown 2010* and the *Minneapolis Plan* is described in greater detail below. The relationship of this planned commercial development to other site elements and surrounding development is described in greater detail in the passages that follow.

- b. The traffic generation characteristics of the proposed planned unit development in relation to street capacity, provision of vehicle access, parking and loading areas, pedestrian access and availability of transit alternatives.**

Consistency with Environmental Assessment Worksheet (EAW):

Anticipated project impacts are within the scope of those studied in the Environmental Assessment Worksheet (EAW). Therefore EAW continues to be valid for this project.

Provision of pedestrian and vehicular access:

Pedestrian and vehicular access at hotel drop-off:

The hotel drop-off is located on First Avenue North near the center of the block. The site plan shows that the drop-off lane will be thirty-one feet wide (31'-0"). Vehicle access from the street to the driveway occurs at two curb cuts, each of which is fifty-four feet (54'-0") in length. The Building Architect has said that this drop-off lane must accommodate off-street passenger loading and unloading of tour buses, which are critical to the hotel business.

Staff has the following concerns with the hotel drop-off facility:

- The location of the hotel drop-off facility is problematic because it sits squarely in front of those doors, which lead directly to and from the interior of the Project. This situation is particularly problematic because those building patrons whom will be moving on the street level between the interior spaces of the Project and the Outdoor Public Plaza will need to walk within the hotel-drop-off area. Public Works Traffic requires that all vehicular drop-off facilities be located within the property and outside of the public right-of-way.
- Because ground floor, interior circulation spaces lead directly to the hotel drop-off area, ground level pedestrian traffic between Block E and the Target Center will likely mix with vehicular traffic in the drop-off area. This mixing may occur because adequate measures have not yet been taken to direct pedestrians from the Project to the crosswalks at the intersections of First Avenue North/North 6th Street and First Avenue North/North 7th Street.
- The size of the drop-off facility appears disproportionately large given that the hotel has a total of 255 rooms. If each room was turned each day, and each hotel guest arrived in separate vehicles, the hotel drop-off would only need to accommodate 255 vehicles on a daily basis.
- The length of curb cuts along First Avenue North is excessive. The wide driveway at the hotel drop-off will inhibit the safe movement of pedestrians walking along the length of the block on the First Avenue North side of the Project. The length of curb cuts needed to provide vehicular entrance to and egress from hotel-drop-off facility should be minimized in order to maximize pedestrian space along the curb front on First Avenue North and in order to minimize those areas where pedestrian and vehicular paths cross. Public Works Traffic Staff requires sizing of curb cut as per findings of simulation software application of Project drop-off features. Building Architect to transmit electronic copy of site plan to Public Works Traffic for simulation to be conducted.
- Grade changes between the driveway and the sidewalk interrupt the flow of pedestrian traffic. Public Works Traffic does not permit wheelchair/pedestrian ramps at driveways and has determined that a continuous sidewalk grade is

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required. Efforts should be made to delineate circulation paths through visual and textural articulation of a single surface (as opposed to cutting a driveway through the sidewalks and providing wheelchairs ramps to accommodate slight changes in grade).

The Building Architect has indicated that he will continue to refine the design of the hotel drop-off facility in relation to the Outdoor Public Plaza and the ground floor pedestrian circulation paths through the Project.

All Pedestrian and vehicular access facilities must comply with the standard specification from the Public Works Sidewalk Division: "Specification for Monolithic Sidewalk, Driveway, Curbing, Gutter, and Alleys," for the year 2000. The Public Works Department and the Planning Department shall approve the final plans for vehicular and pedestrian access.

Pedestrian and vehicular access to loading/trash facilities and parking garage:

Vehicular access to underground loading facilities, trash facilities, and the parking garage is located on North 7th Street in the western portion of the block.

Vehicular access to all three facilities is shared with one lane for ingress and one lane for egress. The site plan shows that each lane will be twelve feet wide (12'-0") and the total width will be twenty-four feet wide (24'-0"). Vehicle access from the street to the driveway occurs at a single curb cut which runs twenty-four feet wide (24'-0") at the property line to forty-feet (40'-0") wide at the curb.

Planning Staff has the following concerns with vehicle access to loading/trash facilities and parking garage:

- Grade changes between the driveway and the sidewalk interrupt the flow of pedestrian traffic. Public Works Traffic does not permit wheelchair/pedestrian ramps at driveways. Efforts must be made to delineate circulation paths through visual and textural articulation of a single surface (as opposed to cutting a driveway through the sidewalks and providing wheelchairs ramps to accommodate slight changes in grade). Public Works Traffic does not permit wheelchair/pedestrian ramps at driveways and has determined that a continuous sidewalk grade is required.
- Loading and trash facilities must be sized in order to prevent service vehicles from stacking on the entrance ramp to underground facilities. Stacking of service vehicles could potentially block sidewalks and obstruct safe passage of pedestrians along the length of the North 7th Street side of the Project (see also, *Parking and loading areas*, below). The Public Works Department and the City Planning Commission shall approve the final operations plan for the loading and trash facilities.

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All Pedestrian and vehicular access facilities must comply with the standard specification from the Public Works Sidewalk Division: "Specification for Monolithic Sidewalk, Driveway, Curbing, Gutter, and Alleys," for the year 2000. The Public Works Department and the City Planning Department shall approve the final plans for vehicular and pedestrian access.

Pedestrian access to and from the Project:

The sidewalk on the Hennepin Avenue side of the Project is twenty-two feet (22'-0") wide. The sidewalks on the North 6th Street and North 7th Street sides of the project are fourteen feet (14'-0") wide. The sidewalks on the North 7th Street side of the Project include two stretches that add an additional three (3'-0") feet in width, to accommodate two small outdoor seating areas. Two skyway connections are currently proposed, one that leads to the Target Center and one that leads to City Center.

Planning Staff has raised the following concerns with pedestrian access to and from the Project:

- Indication for second floor concourse should be provided so that future connection to Block F, immediately south, is not obstructed or unduly complicated if such a connection is considered desirable in the future. Specific location of crossing to be determined.
- Indication for underground concourse should be provided so that future tunnel connection to Block D, immediately north, is not obstructed or unduly complicated if such a connection is considered desirable in the future. Specific location of crossing to be determined.
- All vertical connections between ground level, skyway level, and tunnel level must be highly visible (through direct sightlines) and directly accessible from city sidewalks at each building entrance and each location of a skyway or tunnel connection.
- Ground level spaces in the Retail/Theater Base shall be directly accessible from city sidewalks as well as internal circulation space.

Pedestrian circulation through and within the Project:

Planning Staff has raised the following concerns with pedestrian circulation through and within the Project:

- Ground floor circulation should be designed to accommodate convenient and easily visible pedestrian connections between sidewalks in the Theatre District & the Warehouse District. Ideally, ground level corridors would run diagonally from the corner of 7th and Hennepin to the corner of North 6th Street and First Avenue North.

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- Doglegged skyways are strongly discouraged because poor sightlines inhibit the easy interchange of pedestrians and consumers between complexes at either end of such skyways.
- Internal concourses should allow for clear visual sightlines between the Hennepin Avenue and First Avenue entrances on the ground level and the skyway level.
- Internal concourses should allow for clear visual sightlines between the Hennepin Avenue and First Avenue entrances on the ground level and the skyway level.
- Internal concourses should allow for clear visual sightlines within and through vertical layers of the Retail/Theater Base.
- Internal concourses should allow for clear visual sightlines within and through each the first and second floors of the complex.

Parking and loading areas:

Parking: Building plans currently call for a total of five-hundred-forty-nine (549) parking spaces distributed between two underground levels of parking.

Zoning Staff has determined that a total of three-hundred, thirty-five (335) parking stalls are required for this Project. Therefore, the Project meets the parking requirement (including the special parking requirements for the B4S District) and the project is in excess of the required parking.

An operations and pricing plan for the parking garage has not yet been determined. Approval should be conditional upon review of the final operations and pricing plan for the parking garage.

Loading areas: Building plans currently call for a total of four (4) loading berths and one trash compactor unit, all of which are located in an underground facility.

While reviewing the permit application for completeness, the Zoning Administrator determined that the Project requires a total of eleven (11) loading berths. Based on a calculation of individual uses, Zoning Staff determined that five (5) large loading berths, and for (4) small loading berths are required in addition to an area specifically designated for a trash compactor.

Planning Staff requested that the Building Architect and the Developer's Representative present written documentation from the following:

- Written documentation showing particular loading and trash facilities needed for each known tenant

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- Written documentation showing particular loading and trash facilities projected businesses that are similar in kind and size to retailers that are sought, but are as yet unsigned leasees.

The Building Architect and the Developer's Representative have presented the following information as evidence of the legitimacy of their proposal for loading/trash facilities (as shown in drawings):

- *Attachment 4:* Letter from Joseph Antunovich, Antunovich Associates to Jack Byers, Minneapolis Planning Department, dated April 7, 2000.
- *Attachment 5:* "Loading Dock Analysis," Exhibit D attached to letter from Rebecca Rom, Faegre and Benson, LLP to Jack Byers, Minneapolis Planning Department, dated April 21, 2000 (supplement to Consolidated Planning Application for Block E).
- *Attachment 6:* Letter from Joseph Antunovich, Antunovich Associates to Jack Byers, Minneapolis Planning Department, dated May 1, 2000 (including attachments from Graves Hospitality Corporation, Crown Theaters, and McCaffrey Interests).

A total of four (4) large loading berths and a separate, additional trash compactor unit - all of which are located in an underground facility – are recommended for approval with the condition that the final operations plan for the loading and trash facilities is submitted to and approved by, the Planning Department and Public Works-Traffic.

Availability of transit alternatives:

Long-term transit concerns: Planning staff raised the concern that the sidewalk width on 7th St. and the zero setback of the project could create a problem for transit users and pedestrians at the 7th St. transit stop. The developer responded to this concern by pulling the building back 3-4 feet from the property line in the vicinity of the transit stop, and enlarging the transit shelter planned for the 7th St. facade. According to Metro Transit staff, these changes are sufficient to prevent excessive pedestrian congestion at this location.

Other transit-friendly features of the project design include the following:

- The 6th St. facade will also include a large on-site transit facility.
- The developer will build the transit facility for Hennepin Ave. within the public right-of-way such that three buses can queue up.
- Consistent with the approved Travel Demand Management Plan for the project, the developer will insure that the three transit facilities will include both heat and light.

- The facades will include canopies that will provide shelter for transit patrons on 6th and 7th Streets and Hennepin Ave.
- The Project Architect is also considering a leaning rail in the vicinity of the transit facilities for transit patrons.

Temporary transit stops during construction: During the construction of the project, the sidewalks surrounding the site will be closed. Metro Transit Staff will work with the developer and City staff to site the two transit stops that will be needed on 6th and 7th Streets during construction. Metro Transit Staff felt that the temporary stop on 7th St. east of Hennepin would require the City eliminate the right turn for general traffic on to Hennepin. Since the temporary bus stop would have to be located close to Hennepin, right-turning vehicles would conflict with buses that will be going straight across Hennepin.

No temporary stop will be needed along Hennepin. The existing stop between 6th and 7th Streets will just be closed. There are mid-block stops to the blocks north and south of the site.

- c. **The site amenities of the proposed planned unit development, including the location and functions of open space and the preservation or restoration of the natural environment or historic features.**

Location and function of open space:

Drawing A-10, Street level Plan calls for an open public space located at the intersection of North 6th Street and First Avenue North (on the northwest corner of the site) and a smaller less-defined open public space at the corner of First Avenue North and North 7th Street. Though the Environmental Assessment Worksheet completed in 1998 was based on provision of public open space at Hennepin Avenue and North 7th Street, no such space is allocated in this drawing.

Beneficial characteristics:

- This location of public open space at First and 6th is appropriate for accommodating large pedestrian volumes at this intersection.
- Direct vertical circulation between ground-level public space and skyway level circulation space will allow for convenient, visually accessible interchange between street and skyway level environments in the Downtown Entertainment District.
- The location for a significant art/water feature is proposed. The siting of this feature will help pedestrians along the northern reaches of First Avenue North to identify and locate the complex.

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Detrimental characteristics:

- The public open space at First Avenue North and North 6th Street is currently the only location where sidewalk cafes are indicated in the project.
- It will be likely in the shadow of the new building on the block for most, if not all days of the year.

Findings:

- Direct vertical connection between ground-level public space and skyway level circulation space is in compliance with the City's Comprehensive Plan for Downtown (*Downtown 2010*) as well as the *Development Objectives for Block E*.
- The location of public open space at First and 6th as the sole open public space on this block does not comply with the Site Plan Review Chapter of the Zoning Code (530.360 b) Site context: Shadowing which states, "Buildings shall be located and arranged to minimize shadowing of public spaces and adjacent properties."
- Open space at Hennepin Avenue and North 7th Street: The Environmental Assessment Worksheet was based on a the design for a previous redevelopment proposals which also included public open space at the corner of Hennepin Avenue and North 7th Street (on the southeast corner of the site). Providing public open space at the corner of Hennepin Avenue and North 7th Street could be designed to accommodate the following:
 - Alleviate sidewalk congestion at the intersection
 - Maintain the building wall along Hennepin Avenue at the upper floors of the retail/theater portion of the complex.
 - Allowing for sidewalk cafe's along North 7th.

Other site amenities of the proposed planned unit development:

Feature Element: The "Feature Element" located on First Avenue North, directly in front of the Hotel porte cochere, is currently located in such a way that it will obstruct free movement of pedestrians walking along the east side of First Avenue North. The Project Architect has agreed to relocate this feature element.

Public restrooms: Planning Staff has indicated that public restrooms should be provided for building patrons and for use by the general public on both the ground level and the skyway level.

The Building Architect has provided public restrooms on the Skyway level as part of the Food Court. Handicap single-patron restrooms are included on the ground level.

The staff position (that public restrooms should be provided for building patrons and for use by the general public on the ground level as well as the Skyway level) was echoed by Planning Commissioners meeting as the Committee of the Whole on May 4, 2000.

The Building Architect maintained that comments by staff and commissioners regarding the request for full public restrooms on the first floor were “Duly noted.”

Food Court: The Food Court for the Project is currently located on the west side of the second floor. It is considered a public amenity within the project. Despite Planning Staff recommendations to the Building Architect, the food court has not been designed to incorporate windows in the public seating area.

Preservation or restoration of the natural environment:

Drawings A10.1 and A11 indicate that significant additions and improvements will be made to the urban forest in the Downtown Entertainment District. Such additional and improvements include street trees located on all four sides of the complex and raised planters on the Hennepin Avenue side of the complex.

Preservation or restoration of historic features:

No historic structures currently exist on Block E. Historic remnants of the neighborhood can be found in surrounding blocks. The Building Architect has launched significant effort to use historic photographs of Block E and surrounding blocks as source material for the design of the retail and theater complex.

Building elevations submitted for the retail/theater complex, (A2 through A5) indicate sensitivity to the scale of commercial storefront buildings that were once found in and around Block E.

Discussions are in-progress between the Building Architect and Planning Staff to further refine the building form, mass, and envelope in order to achieve the following:

- Greater balance of architectural design to incorporate sensitivity to nearby theater and warehouse buildings that also characterize the neighborhood.
- Consistency of building elevations to building floor plans, particularly in relation to the articulation of form and mass in both plan and elevation
- Greater articulation of hotel facades in order to balance the level of detail suggested in the facades of the retail theater complex.

- d. **The appearance and compatibility of individual buildings and parking areas in the proposed planned unit development to other site elements and to surrounding development, including but not limited to building scale and massing, microclimate effects of the development, and protection of views and corridors.**

The appearance and compatibility of individual buildings to other site elements and surrounding development

Building elevations submitted for the retail/theater complex, (A2 through A5) indicate sensitivity to the scale of commercial storefront buildings that were once found in and around Block E. (Some examples of this architecture remain.)

Discussions are in-progress between the Building Architect and Planning Staff to further refine the building form, mass, and envelope in order to achieve the following:

- Greater balance of architectural design to incorporate sensitivity to nearby theater and warehouse buildings that also characterize the neighborhood.
- Consistency of building elevations to building floor plans, particularly in relation to the articulation of form and mass in both plan and elevation
- Greater articulation of hotel facades in order to balance the level of detail suggested in the facades of the retail/theater complex.
- Because the Project includes a seventeen screen theater movie complex and because it is located in the very heart of the Hennepin Theatre District, a traditional theater marquee should be included on Hennepin Avenue façade of the Project to indicate primary entrance to Crown Theater complex. In addition, a traditional movie marquee should be included on the corner of 6th Street and First Avenue North to indicate Crown Theater complex within.
- As per the *Block E Development Objectives*, approved by City Council in April 1995, the building should be designed to be highly transparent, so that indoor activities are visible and energize the area. Under no circumstances should the project be conceived as a totally enclosed, inward-oriented center with blank walls facing the street.
- Outdoor seating areas should be oriented toward sunniest sidewalks (after construction). Locating such amenities on Hennepin Avenue, North 7th Street and First Avenue North will provide for greater Exposure to sunshine, which in turn will provide a greater public amenity and ensure greater patronage.

Building scale and massing

Discussions are in-progress between the Building Architect and Planning Staff to further refine the building scale, form, mass, and envelope in order to address the following concerns:

- The central portion of the Hennepin Avenue façade (and the related building mass behind it) should suggest the presence of a new theater building within the district.
- Building height and mass of Retail/ Theater Base should be compatible particularly those in the Warehouse and Theater Districts.
- Building corners of the Retail/ Theater Base (and the view corridors they punctuate) should be defined through building mass, enhanced ornamentation, lighting, and signage.
- Hotel façade should be designed and detailed in such a way as to stand out among other skyscrapers and call attention to, or symbolically signify the kind and amount of activity and excitement occurring in the Retail/Theater Base below.
- High-relief, sculptural cornices should be used to trim the upper edge of all facades on the Retail/Theater Base.
- Building cornices at Retail/Theater Base should be staggered - rather than being uniform - in their height/distance from the street.
- Wall sections of Retail/Theater Base should be articulated to emulate the dimensions (depth/thickness) of building envelopes characteristic to the Warehouse District and buildings in the blocks immediately north of Block E.
- External façade treatments should coincide with internal division and organization of building spaces (in order to avoid a pastiche or "theme park" look to an urban building).
- The street level façade shall be designed to be retractable in places so that indoor activities can spill out onto adjacent sidewalks in warm weather.
- All skyways shall be designed to have highly transparent walls and roofs.
- Fenestration of all windows on the Retail/Theater Base should be designed to reflect the size, scale, and character of existing buildings in the Warehouse and Theater Districts.
- Likewise, the design of all exterior doors on the Retail/Theater Base should be designed to reflect the size, scale, and character of existing buildings in the Warehouse and Theater Districts.
- Three-dimension character of roof of hotel shaft should be dramatic and readable from all four facades

Microclimate effects of the development:

Planning Staff has raised a number of concerns related to building orientation and microclimate conditions in public open spaces (See *Attachment 3: Matrix of Design Considerations*). In particular, the location of outdoor public space is problematic.

While the proposed public space at the corner of North 6th Street and First Avenue North will accentuate activity at an already busy intersection, new construction will cast a shadow on this public space for most of the day. Given the relatively low elevation of buildings in Block F, the intersection of North 7th Street and First Avenue North will be sunnier at more times of the day. As such, outdoor seating areas should be oriented toward the sunniest sidewalks that will result after construction. Locating such amenities on Hennepin Avenue and North 7th Street will provide for greater exposure to sunshine, which in turn will provide a greater public amenity and ensure greater patronage.

The Building Architect contracted a Wind Analysis and Sun/Shade Analysis for this project (See *Attachment 7: Sun/Shade Analysis* and *Attachment 8: Wind Analysis* (both of which were prepared by Developer's Team). The findings of this analysis should be used to make design decisions concerning the location and design of public spaces and amenities related to The Project.

Protection of views and corridors:

Planning Staff has raised several sets of concerns related to the protection of views and corridors, specifically as they relate to the form and image of the Project within the context of both the downtown street environment and the downtown skyline:

- In order to preserve views up and down Hennepin Avenue, decoration and embellishments to the skyway over Hennepin should be limited to those portions of the bridge that are directly above the sidewalks. Center portion of skyway bridge (curb-to-curb) should be as transparent as possible.
- The corner of 6th and Hennepin terminates the vista from the east along south 6th Street and the bldg. The corner of 6th and Hennepin terminates the vista from the east along south 6th Street and the bldg. mass must be articulated to take advantage of this visual relationship.
- The corner of 7th and Hennepin terminates the vista from the east along South 7th Street and any building. Any building mass or public open space on this corner must be articulated to take full advantage of this visual relationship.

- The corner of 6th & First Ave. North terminates the vista from the north along First Ave. North and any building mass or public open space on this corner must be articulated to take full advantage of this visual relationship.
- The corner of 7th & First Ave. North terminates the vista from Glenwood Avenue (through the portal of the 7th Street Ramp) and the project should be designed to take advantage of this visual relationship.
- Skyline views, especially from northwest, north, and northeast must be carefully considered and illustrated.
- Architectural ornament and lighting at top of hotel structure is strongly recommended.
- Top of building should be highly articulated so that it stands out on the Downtown skyline and gives clear, iconographic reference to the function of the building and the activities within.
- Literal ornament and lighting (at top of hotel structure) that advertises name of the building, its tenants, or its users is strongly discouraged.
- Careful consideration should be given to the appearance of the tower façade and roofline from the sidewalks views of the building in the surrounding downtown blocks, especially along South 6th Street and along First Avenue North (south on the stretch between 12th Street North and 9th Street North).
- Fixed searchlights on the building roof would draw attention to the project and the Entertainment District when local premiers or other special events are taking place. Use of searchlights on Block E would help to re-legitimate the variety and caliber of downtown Entertainment venues. These are currently prohibited by the Zoning Code. Planning Staff has recommended that Building Architect include searchlights in the Developer's proposed sign strategy.

Appearance and compatibility of parking areas

All parking in the complex will be located in an underground parking garage. Issues and concerns related to the relationship of parking facilities to street-level environments are detailed above (see Part III, Section 1, item b).

- e. **The relation of the proposed planned unit development to existing and proposed public facilities, including but not limited to provision for stormwater runoff and storage, and temporary and permanent erosion control.**

The Project includes three transit shelters: The shelters on North 6th Street and North 7th Street will be incorporated into the design of the ground floor of the building. The transit shelter located on Hennepin Avenue will be freestanding. The design of this shelter should be consistent with the proposed upgrades of

MetroTransit shelters along Hennepin Avenue, which were designed in accordance with the Hennepin Theatre District Streetscape Plan.

The Project includes a two-story underground parking ramp which will be operated as short-term parking and will comply with the policies of the “Do The Town” Parking Program.

All streetscape improvements along the Hennepin Avenue side of the complex must comply with the guidelines established in the *Hennepin Avenue Theatre District: Building an Urban Identity: A Guidebook for Streetscape and Architectural Development* which was approved by the City Planning Commission on May 1, 2000.

The Developer is coordinating these public improvements with all appropriate agencies including the MCDA, Planning Department, Public Works, Mn DOT, Metro Transit, and the affected neighborhood and business groups.

The Developer will have to obtain approval by the Public Works Department for the stormwater management plan and the erosion control plan.

Relation of the proposed planned unit development to other existing public facilities

Hennepin Theatre District: On May 1, 2000, the City Planning Commission approved the *Hennepin Avenue Theatre District: Building an Urban Identity: A Guidebook for Streetscape and Architectural Development* as the design and planning source for future revisions to the public environment on Hennepin Avenue between 5th and 10th Streets, which includes Block E.

Target Center and Nicollet Mall: As per items 3.4 of the *Block E: Development Objectives* (adopted by City Council May 12, 1995), the public spaces on Blocks E should recognize “the fact that almost 22,000 people exit the Target Center within fifteen minutes of an event. The Block E Entertainment /Retail Center must accommodate a portion of this crowd and should do so in a manner that both City Center and the Nicollet mall receive spillover benefits.” Items 4.42 states “project skyways shall provide skyway connections to the Target Center and City Center.”

The current design for the path of the skyway level concourses within Block E do not allow for clear sightlines through and between internal concourses on the skyway level of the building. Doglegged skyways are strongly discouraged because poor sightlines inhibit the easy interchange of pedestrians and consumers between complexes at either end of such skyways. Hindering the flow of

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pedestrian traffic through the skyway level of Block E will inhibit pedestrians from finding easy access to City Center and Nicollet mall, thus discouraging any spill-over benefits that might be achieved by City Center, Nicollet Mall, or other complexes in the Downtown Retail Core.

TAD Ramps: The current design for the path of the skyway level concourses within Block E do not allow for clear sightlines through and between internal concourses on the skyway level of the building. Doglegged skyways are strongly discouraged because poor sightlines inhibit the easy interchange of pedestrians and consumers between the Downtown Office and Retail Core and the TAD Ramps.

2. That the planned unit development complies with all of the applicable requirements contained in Chapter 598, Land Subdivision Regulations.

Planning Staff has determined that it is not mandatory to complete a registered land survey for this project prior to construction. However, as a condition of approval, a registered land survey must be completed and approved prior to completion of project.

PART IV: Findings As Required By The Minneapolis Zoning Code For Conditional Use

Permits:

Conditional Use Permit Application C-#1000141: Planned Unit Development
Conditional Use Permit Application C-#1000142: Non-Residential Conditional Use

The Minneapolis City Planning Department has analyzed the application and from the findings above concludes that the establishment, maintenance, or operation of the proposed conditional use:

- 1. Will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.**

The Project has undergone several reviews by the MCDA and the City Council (See Part I: General Application Information: "Previous Actions," and Part II: Background: "MCDA Involvement." These reviews are evidence of the City's commitment to the Project.

Planning staff maintains that a well designed, maintained, and operated complex will be an asset to Downtown and the City.

Further consideration should be made by the Planning Commission based on public testimony at the scheduled Public Hearing, which is scheduled for Monday, May 15, 2000, at 4:30 p.m. in Room 317 City Hall, 350 South 5th Street, Minneapolis MN.

- 2. Will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal or orderly development and improvement of surrounding property for uses permitted in the district, nor substantially diminish and impair property values.**

If well designed, maintained, and operated this complex should increase property values and enhance opportunities for the development and improvement of surrounding properties.

- 3. Will have adequate utilities, access roads, drainage and/or other necessary facilities.**

Staff in the Public Works Department have determined that the Project's Stormwater Management Plan will need to consist of a utility and drainage plan.

- 4. Will adequately provide ingress and egress designed as to minimize traffic congestion in the public streets.**

Pedestrian and vehicular access: As previously noted above, Planning Staff has raised several concerns related to Project circulation in relation to vehicular and pedestrian

access (See “*Provision of pedestrian and vehicular access,*” Part III, Section 1, item b, above.)

5. Is consistent with the applicable policies of the comprehensive plan.

Consistency with the applicable policies of *Downtown 2010: Retail:*

Though Block E is located just one block west of the primary retail district specified in *Downtown 2010*, The Project is otherwise compatible with the applicable policies of the downtown comprehensive plan.

Consistency with the applicable policies of *Downtown 2010: Entertainment:*

The Project is located in the heart of the Entertainment District specified in *Downtown 2010*. It is compatible with the applicable policies of the Entertainment chapter of the downtown comprehensive plan.

Current inconsistencies with the applicable policies of *Downtown 2010: Physical Settings:*

Physical Settings: Policy 7: Promote building heights and designs that protect the image and form of the downtown skyline, that provide transition to the edges of downtown and that protect the scale and qualities in areas of distinctive physical or historic character.

According to *Downtown 2010*, “The height of buildings conveys a sense of the type and intensity of use of the building or area, and it also symbolizes the importance of the use within the broader community. With respect to downtown, the height of buildings contributes to an understanding of how downtown is organized and the importance of its various functions. The downtown skyline also is a source of civic pride. As such, it should be considered a community asset.”

As mentioned, discussions are underway between the Building Architect and Planning Staff concerning the building form and mass of The Project. The intent of these discussions is to achieve compliance with *Downtown 2010* concerning the presence of the Project on the city skyline. See *Protection of views and corridors*, Part III, section 1, item d.

Physical Settings: Policy 9: Ensure that the skyway system is easy to use and understand, and that it complements the street-level of downtown.

According to *Downtown 2010*, “Priorities should be placed on maintaining uniform hours of operation, consistent directional signage and providing convenient and easily accessible vertical connections between street and skyway levels in prominent locations.”

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Final design for skyway bridges, concourses, and vertical connections is yet to be determined. As mentioned, discussions are underway between the Building Architect and Planning Staff concerning the pedestrian access to, and internal circulation within, The Project. The intent of these discussions is to achieve compliance with *Downtown 2010* concerning the presence of The Project on the city skyline. See *Provision of pedestrian and vehicular access*, Part III, section 1, item b.

The Project representatives have agreed to operate the Project skyways according to the Uniform Hours Program. Operating skyways according to the Uniform Hours Program will ensure that a skyway link is accessible between the Downtown Office and Retail Core and the Target Center and TAD Ramps.

The Project includes a direct, vertical connection between the public plaza on the corner of First Avenue North and North 6th Street. This connection is exemplary of the kind of clearly visible, easily accessible vertical connections that should be built all new additions to the Skyway System (and the associated downtown tunnel system). A vertical connection on the corner of First Avenue North and North 6th Street is critical to ensuring that Block E serves as a “link” between street-oriented retailing in the Warehouse District and skyway-oriented retailing in the office core. (This connection will need to be enclosed in a glass-walled structure in order to protect escalators from the elements while maintaining maximum visibility of the vertical connection. A similar vertical connection should be incorporated into the Hennepin Avenue entrance of The Project.

Final design for skyway bridges, concourses, and vertical connections is yet to be determined. Discussions are underway between the Building Architect and Planning Staff concerning the design of The Project. The intent of these discussions is to achieve compliance with *Downtown 2010* concerning the presence of The Project on the city skyline. See *Protection of views and corridors*, Part III, section 1, item d.

Physical Settings: Policy 14: Emphasize good open space design:

According to *Downtown 2010*, “There is a special affection for parks and plazas among citizens of Minneapolis. The northern climate makes the time spent outdoors during warmer months particularly precious...”

Because the location of the public open space in The Project is located on the shades side of the building, the design of this open space is not in compliance with the policies of *Downtown 2010* (nor is it in compliance with the Zoning Code’s Site Plan Review chapter, see below).

**Further refinement underway to achieve consistency with the applicable policies of
Downtown 2010: Physical Settings:**

Physical Settings: Policy 1: Promote a street-level design of buildings that contributes to downtown's vitality and security by encouraging individual entrances to street-level building tenants, windows and architectural detailing.

Currently, building elevations and floor plans are inconsistent with one another. Discussions are in-progress between the Building Architect and Planning Staff to further refine the building form, mass, and envelope in order to achieve consistency of building elevations to building floor plans. Building architect has indicated commitment to further refined building design and drawing package to more clearly meet the goals of this policy.

Physical Settings: Policy 4: Support private use of the public right of way where it adds interest and vitality of the pedestrian environment.

According to *Downtown 2010*, "The public right of way is dedicated for public benefit and provides the space for circulation and other public activities. Private use of the public right of way can affect the quality of the pedestrian environment. Landscaping, sidewalk cafes, benches and portable vending stalls can add life to the street if properly located and should be encouraged. Encroachments into the public right of way such as below-grade parking garages and utility vaults that limit space for street tree planting should be discouraged as should building encroachments into the right of way that enlarge the floor area of a building.

As previously mentioned, discussions are in-progress between the Building Architect and Planning Staff to further refine the location street level amenities based on pedestrian volumes, and the opportunity to create sidewalk cafes and seating areas on the sunny side of the building.

These discussions are mindful of the findings of the Environmental Assessment Worksheet. In addition, Sun and wind studies will be expected in order to confirm the most suitable locations for amenities such as outdoor cafes and seating.

Physical Settings: Policy 5: Promote building forms that maximize solar access to major pedestrian spaces and that minimize the creation of excessive and uncomfortable surface winds along sidewalks.

Materials currently submitted do not indicate the effects of shadowing and wind in the public areas adjacent to the building complex (as specified in Chapter 530.360 of the Zoning Code). Developer's representatives have agreed to supply further information on this matter.

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Physical Settings: Policy 8: Complete the skyway system in the office and retail cores of downtown.

This project provides a critical connection in the skyway system that will link the office and retail core to the entertainment district and the TAD ramps. *If designed and operated appropriately*, the skyways, concourse, and vertical connectors that are part of this project will play a key role in furthering policies related to maintaining a compact core surrounded by long-term parking on the periphery of downtown.

Current design of skyway bridges, concourses, and vertical connections will need be refined to more clearly meet the goals of this policy.

Physical Settings: Policy 11: Provide maximum transparency of skyway walls and roofs in order to provide views to the outside to help users orient themselves.

Final design for skyway bridges, concourses, and vertical connections is yet to be determined. As mentioned, discussions are underway between the Building Architect and Planning Staff concerning the design of The Project. The intent of these discussions is to achieve compliance with *Downtown 2010* concerning the pedestrian access and internal circulation.

Physical Settings: Policy 15: Encourage the creation and improvement of indoor open spaces.

Final design for of indoor spaces is yet to be determined. Discussions are underway between the Building Architect and Planning Staff concerning the design of The Project. The intent of these discussions is to achieve compliance with *Downtown 2010* concerning the pedestrian access and internal circulation (see above).

Physical Settings: Policy 18: Encourage new buildings adjacent to historic buildings, sites and districts to be compatible in design.

Final design for building form, mass, and elevations is yet to be determined. Discussions are underway between the Building Architect and Planning Staff concerning the design of The Project. The intent of these discussions is to achieve compliance with *Downtown 2010* concerning the relationship between The Project and the fabric of the surrounding neighborhood (see above).

Consistency with the applicable policies of Downtown 2010: Physical Settings:

Physical Settings: Policy 2: Promote retail and other interesting uses at street level in order to reinforce the linking function of streets and to create vitality. These uses should be encouraged at the street level throughout downtown and required where the continuity of retail activity is important.

Physical Settings: Policy 3: Encourage improvements to the public right of way that support pedestrian and transit circulation and that beautify downtown.

Physical Settings: Policy 12: Encourage the creation of new parks and plazas that are within easy access to the majority of the downtown workforce.

Public open space that is created on Block E will be within easy access to the majority of the downtown workforce.

Inapplicable policies of Downtown 2010: Physical Settings:

Physical Settings: Policy 10: Maintain functional links in the skyway system while adjoining properties undergo redevelopment or renovation.

Physical Settings: Policy 13: Improve physical and visual access to the riverfront visual access to the riverfront.

Physical Settings: Policy 16: Preserve, restore and reuse historic buildings and sites in Downtown.

Physical Settings: Policy 17: Support the retention of historic properties in publicly assisted redevelopment projects in downtown.

6. **And, does in all other respects conform to the applicable regulations of the district in which it is located.**

Signage/Downtown Entertainment Area:

In order to achieve the quantity and quality of signage recommended to make the Project an entertainment centerpiece of Downtown Minneapolis, The Project will need to be part of the Downtown Entertainment Area. Zoning Staff has determined that the Project qualifies for a maximum of 10,000 square feet of signage if it is considered a part of the Downtown Entertainment Area. The Developer's Representatives request a maximum square footage of 26,000 square feet of signage for the Project. Planning Staff

identified the following concerns and needs related to Project signage (and the relationship of building architecture to signage):

- Location of main public entrance
- Relationship of signage to architectural features of building
- Establishing a master sign plan stating Developer's intent concerning the location, size, and kind of signage proposed
- On-Premise Identification Signs and Other Building Signage

Location of Main Public Entrance:

In order for the project to be considered part of the Downtown Entertainment Area/District (which allows for broader use of signage) the main public entrance to the facility must be located on Hennepin Avenue (Zoning Code Table 543-3).

In discussions concerning building design and function, Planning Staff urged the Building Architect to enhance the Hennepin Avenue entrance to the Project so that it can serve as the primary entrance. Planning staff determined that a more prominent entrance on Hennepin Avenue should include two key ingredients:

- A more prominent treatment of the façade to identify the activities that lie within the Project, particularly the cinema complex
- A revision of the street level floor plan to create a lobby at the Hennepin Avenue entrance.

Façade Treatment at Hennepin Avenue entrance: The Building Architect responded to the former suggestion by adapting the Hennepin Avenue elevations to incorporate a theater façade and marquee.

Ground Floor Plan at Hennepin Avenue Entrance: The Building Architect created a direct vertical connection (by escalator between the ground floor and the cinema lobby) in the center of the Project. However, the Building Architect has not responded to Planning Staff suggestions concerning the need to create a greater sense of entrance (on the Hennepin Avenue side of the Project) through further refinements of the internal public circulation spaces just inside the building at the location of the theater marquee. The Building Architect maintains that the street entrances to the restaurant and retail complexes along Hennepin Avenue – along with the Hennepin Avenue entrance to the ground floor interior circulation space – together serve as a “main entrance” to the Project.

Currently, the entrance on the First Avenue North side of the project lends more convenient, more direct access to the Hotel lobby, the hotel proper, the hotel ballroom and cocktail lounge as well as the cinema complex, the food court, and the building retail

spaces. Though accessible, most of these functions are located less directly to the Hennepin Avenue entrance to the Project.

The staff position (that the Hennepin Avenue entrance to the complex should read - in plan – more like a primary building entrance) was echoed by Planning Commissioners meeting as the Committee of the Whole on May 4, 2000. Planning Commissioners expressed concern that the Hennepin Avenue entrance to the project did not have a space that would function like a building lobby, particularly one that directs building patrons to the theater complex.

Relationship of Signage to Architectural Features of Building

In addition to concerns about size, location, and kind of signage, Planning Staff has expressed concern that building elevations show that some signs will be installed at locations which appear to be specifically designed for a sign, while other signs appear to be installed over window fenestration. At issue is what a given building façade will look like if a particular sign is removed or unprogrammed. More specifically, the building architecture and the building signage should be designed as a unified package of aesthetic treatments rather than two separate bodies of design work. Planning Staff has encouraged the Building Architect to delineate between those signs that are features of the building's architecture and those that might be considered appliques.

Master Signage Plan

The Developer's Representatives have argued that it is not possible to finalize signage needs and requirements for the project until such time that advertising leases are signed for individual signs. They have maintained that signage leases cannot be executed until retail tenants leases are signed and that many potential retail tenants are as yet unknown. However, the Developer's Representatives have also argued that without approval of a signage plan, it would be impossible to continue efforts to sign retail tenants. That being the case, the Developer's representatives proposed (1) that a maximum square footage of 26,000 square feet of signage be allowed for the Project and (2) exemption from a number of Zoning Code prohibitions.

In the absence of the ability to propose a signage plan which could be finalized, Planning Staff urged the Developer's Representatives to devise a signage strategy which would describe the substantive characteristics of potential signage for the project. Specifically, Planning Staff and Zoning Staff asked for a framework for the size, type, and location of Project signs so that a conditional approval could be achieved but a final approval could be delayed until the Developer has more specific information concerning each sign.

In response to repeated requests by Planning Staff, the Developer's Representatives submitted a Master Sign Plan (see *Attachment 9: Proposed Master Sign Plan* (Prepared by

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Developer's Team) on May 4, 2000. The Master Signage Plan generally repeats the original proposals put forth by the Developers Representatives (That a maximum square footage of 26,000 square feet of signage be allowed for the Project and that exemption from a number of Zoning Code prohibitions be allowed). In addition, the Building Architect has provided a set of sample photos of, and architectural details for, particular kinds of signage (that are considered popular in the current entertainment/retail industry) which are keyed to particular locations on the building facades.

Repeated requests by Planning Staff for a *written description of each proposed sign type (one that provides a qualitative description of the substantive characteristics of each proposed sign type, rather than the proposed exemption of Code requirements)* has not yet been addressed by the Developer's Team.

Planning Commissioners meeting at the Committee of the Whole on May 4, 2000 expressed concern that some of the signage types proposed were not clearly defined and that appropriate examples of signage types had not been illustrated.

On-Premise Identification Signs and Other Building Signage

The Developer's Master Sign Plan does not yet clearly delineate those signs that are considered on-premises identification signs from those signs that might be considered off-premise signage. On-premises signs are those that identify a specific product or brand name for goods or services that are available within the building proper. Off-premises signs are those that advertise goods and services which are not located within the building proper.

Section 6 of Developer's Master Sign Plan (see page 3 of *Attachment 9: Proposed Master Sign Plan*) implies that all building signage would essentially become "on-premise" signage because the building will contain Internet connections and kiosks. The logic is that even though the Project may not include a particular retail establishment in the building, signage advertising the merchandise of that company would be considered on-premises because it is possible to buy the company's merchandise on the Internet. The example widely used by the Developer's team is as follows: Though a GAP Store may not be located in the building, the provision of internet kiosks – which provide a link to the GAP's website, allow building patrons to purchase a pair of GAP jeans from within the complex. Thus, any external signage on the building that advertises The GAP would be considered on-premises signage.

Planning Staff has also expressed concern that creating such a loophole would allow virtually anything available on the internet to be advertisable on the façade of the Project. Followed to extreme circumstances, such a loophole might mean that tobacco-related businesses or sex-industry businesses could one day advertise on the building façade.

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The Planning Staff has requested a review of the Developer's Master Signage Plan by the City Attorney's Office.

Planning Staff has questioned the logic of signs that refer building to an Internet kiosk. More specifically, concern has been raised that the primary intention of a sign is to advertise a product, not to draw potential consumers into the building so that they can avail themselves of the opportunity to use the Internet.

Staff Recommendation on Signage:

Initial approval for Project signage is limited to 10,000 square feet and subject to the *Zoning Code, Chapter 543: On-Premises Signs* and all other applicable requirements. Accommodations within this approval can be made specifically for tenant identification signage for the four building tenants that are presently known (Crown Theaters, ESPN Zone, Gordon Biersch Brewery, and Renaissance Hotel). Submission of tenant identification signage for the four known building tenants must be made by the Developer's Team at such time when signage requirements are known by these four tenants. Approval will be through the Planning Department. All building signage above and beyond this initial approval must be submitted for review and approval by the City Planning Commission.

PART V: REQUIRED FINDINGS FOR MAJOR SITE PLAN REVIEW, DOWNTOWN DISTRICTS:

Section A: Conformance with Chapter 530 of Zoning Code

BUILDING PLACEMENT:

- The placement of buildings shall reinforce the street wall, maximize natural surveillance and visibility, and facilitate pedestrian access and circulation.
- The first floor of buildings shall be located not more than eight (8) feet from the front lot line, except where a greater yard is required by this zoning ordinance or where the building is separated from the front lot line by outdoor open space that conforms to the standards for the urban open space premium in Chapter 549.
- The area between the building and the lot line, and all other areas not occupied by buildings or used for parking and loading purposes, shall include amenities.
- Buildings shall be oriented so that at least one (1) principal entrance faces the public street.
- The main lobby of the building and main elevator access shall be located at street level.
- On-site accessory parking facilities shall be located to the rear or interior of the site, within the principal building served, or entirely below grade.

Building plans conform to the listed requirements regarding “Building Placement” except as otherwise noted in Parts III and IV, above.

BUILDING FACADE:

- Building facades shall provide architectural detail and shall contain windows at the ground level or first floor.
- The exterior materials and appearance of the rear and side walls of any building shall be similar to and compatible with the front of the building.
- Principal entrances shall be clearly defined and emphasized through the use of architectural features that express the importance of the entrance. Multiple entrances are encouraged.
- At least thirty (30) percent of the first floor façade that faces a public street, sidewalk or parking lot shall be windows or doors of clear or lightly tinted glass that allows views into and out of the building at eye level.
- Windows shall be distributed in a more or less even manner.
- Parking Garages: The exterior design shall ensure that sloped floors do not dominate the appearance of the façade and that vehicles are screened from view. At least thirty (30) percent of the first floor façade that faces a public street or sidewalk shall be occupied by commercial uses, or shall be designed with architectural detail or windows, including display windows, that create visual interest.

Building elevations indicate toward intent compliance with this requirement. See Part III, Section 1d, above.

PEDESTRIAN, TRANSIT AND VEHICULAR ACCESS:

- **Clear and well-lighted walkways shall connect building entrances to the adjacent public sidewalk and to any parking facilities located on the site.**

Building plans indicate intent toward compliance with this requirement. Final site plan will reference final lighting plan and indicate method for achieving full compliance with this requirement.

- **Transit shelters shall be well lighted and weather protected, and shall be placed in locations that promote security through natural surveillance and visibility.**

See *“Provision of pedestrian and vehicular access,”* Part III, Section 1, item b, above.

- **Vehicular access and circulation shall be designed to minimize conflicts with pedestrian traffic and with surrounding residential uses. Curb cuts shall be consolidated wherever possible.**

See *“Provision of pedestrian and vehicular access,”* Part III, Section 1, item b, above.

There are currently no residential uses in The Project, the block, or in the blocks immediately adjacent to it.

- **Traffic shall be directed to minimize impact upon residential properties and shall be subject to section 530.330(b).**

Not applicable.

- **Areas for snow storage shall be provided unless an acceptable snow removal plan is provided.**

Building plans indicate intent toward compliance with this requirement. Final site plan will indicate method of achieving full compliance with this requirement.

- **In areas of vehicular access, site plans shall minimize the use of impervious surfaces to the extent possible.**

Building plans indicate compliance with this requirement.

PARKING LOTS AND LOADING AREAS:

- **Parking lots and loading areas shall be landscaped, screened and defined as specified in Chapter 530, Article IV.**

All parking and loading facilities will be located underground.

LIGHTING AND GLARE:

- **Lighting shall comply with the requirements of Chapter 535 and Chapter 541. A lighting diagram may be required.**

A complete analysis of lighting cannot be conducted until such time when final lighting plans are submitted. At such time when final lighting plans are submitted, an analysis will be conducted based on the requirements of Chapter 535 and Chapter 541.

SITE CONTEXT:

- **Site plans shall minimize the blocking of views of important elements of the city such as parks and greenways, significant buildings and water bodies.**

See "*Protection of views and corridors*," Part III, Section 1, item c, above.

- **Buildings shall be located and arranged to minimize shadowing on public spaces and adjacent properties and to minimize the generation of wind currents at ground level.**

See "*Location and function of open space*," Part III, Section 1, item c, above.

See "*Microclimate effects of the development*," Part III, Section 1, item d, above.

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN:

- **Site plans shall include crime prevention design elements as specified in section 530.370.**

Current site plan indicates general compatibility with the principles of crime prevention through environmental design (CPTED). A complete analysis cannot be conducted until such time when final site plans are submitted.

HISTORIC PRESERVATION:

- **Site plans shall include the rehabilitation and integration of locally designated historic structures or structures that have been determined to be eligible to be locally designated as historic structures.**

No historic structures currently exist on Block E. Historic remnants of the neighborhood can be found in surrounding blocks. The Building Architect has launched significant

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effort to use historic photographs of Block E and surrounding blocks as source material for the design of the retail and theater complex.

See also, “*Preservation or restoration of historic features,*” Part III, Section 1, item C, above.

Section B: Conformance with All Applicable Zoning Code Provisions and Consistency with the Comprehensive Plan

ZONING CODE: See PART III: Findings Required For Planned Unit Developments and Part IV: Findings Required For Conditional Use Permits (above)

MINNEAPOLIS PLAN: See Part IV, item 5, above

Section C: The site plan is consistent with applicable development plans or development objectives adopted by the city council.

See Attachment 3: Matrix of Design Considerations

PART VI. ALLEY VACATIONS

- (a) Alley Vacation (Vac. 1320): Vacation of the public alley lying within Lots 11 and 12, Block 3, Hoag and Bells Addition to Minneapolis (see attached map).
- (b) Alley Vacation (Vac. 1321): Vacation of the public alley lying within lots 1 thru 4, and 9 thru 11, Block 3, Hoag and Bells Addition to Minneapolis (see attached map).

Development Plan: The site plan for the Planned Commercial Development is attached as part of this application.

Responses from Utilities and Affected Property Owners: Not all of the utilities have responded to the vacation notice, therefore in the case that a utility would request an easement, the recommendation requires the applicant to grant an easement or relocate the utility at their own expense. As per the responses that staff has received from NSP, US West, Minnegasco, MnDot, The Minneapolis Public Works department, the Minneapolis Fire Department, Burlington Northern Railroad and the Canadian Pacific Railroad, no utility easements have been requested.

Findings: The Public Works Department and City Planning Department find that the area proposed for vacation is not needed for any public purpose, and it is not part of a public transportation corridor, and that it can be vacated if any easements requested above are granted by the petitioner.

PART VII: SUMMARY OF RECOMMENDATIONS OF THE MINNEAPOLIS CITY PLANNING DEPARTMENT:

Alley vacations:

The City Planning Department recommends that the City Planning Commission and the City Council accept the above findings and **approve** the vacations subject to the following condition:

1. If a utility requests an easement the applicant shall grant the easement or relocate the utility at the applicants' expense.

Planned Commercial Development:

The City Planning Department recommends that the City Planning Commission adopt the above findings and **approve** the application with the following conditions:

Conditions of the Planned Unit Development:

1. All required City permits shall be obtained prior to the issuance of the certificate of occupancy.
2. The Project must meet all State Building Code Requirements and all other applicable codes and ordinances prior to the owner occupying the site.
3. Refinement of pedestrian and vehicular circulation plan must be made to address all Staff concerns related to (i) pedestrian and vehicular access at hotel drop-off, and (ii) pedestrian and vehicular access at entrance to loading/trash facilities and parking garage, both as noted in Part III, Section 1b.
4. Refinement of location and function of Public Open Space must be made to address Staff concerns noted in Part III, Section 1c.
5. Refinement of other site amenities of the proposed planned unit development as noted in Part III, Section 1c.
6. Refinement of building architecture and site conditions as noted in Part III, Section 1d.
7. The Planning Department and Public Works-Traffic shall approve the final site plan for compliance with vehicular and pedestrian access issues.
8. The Planning Department and Public Works-Traffic shall approve the final operations and pricing plan for the parking garage.
9. The development must include a total of four (4) large loading berths and a separate, additional trash compactor unit(s) - all of which are located in an underground facility – subject to submission and approval of a final operations plan for the loading and trash facilities by the Planning Department and Public Works-Traffic.
10. Initial approval for Project signage is limited to 10,000 square feet and subject to the *Zoning Code, Chapter 543: On-Premises Signs* and all other applicable requirements. Accommodations within this approval can be made specifically for tenant identification signage for the four building tenants that are presently known (Crown Theaters, ESPN Zone, Gordon Biersch Brewery, and Renaissance Hotel). Submission of tenant identification signage for the four

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known building tenants must be made by the Developer's Team at such time when signage requirements are known by these four tenants. Approval will be through the Planning Department. All building signage above and beyond this initial approval must be submitted for review and approval by the City Planning Commission.

Conditions of the Site Plan Review:

1. The Planning Department shall approve the final site plan, landscaping plan, and lighting plans.
2. Final site plan will reference final lighting plan and indicate method for achieving full compliance with requirement concerning the lighting of pedestrian walkways.
3. Final site plan conforms to the principles of crime prevention through environmental design (CPTED) as stated in Chapter 530.370 of the Zoning Code.
4. Final lighting plan conforms to the requirements of Chapter 535 and Chapter 541.
5. All site improvements shall be completed by June 30, 2003 or the permit may be revoked for non-compliance.